

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: ASBESTOS PRODUCTS                                 :  
LIABILITY LITIGATION (No. VI)                         :  
   :  
CERTAIN PLAINTIFFS   :         Consolidated Under  
   :         MDL DOCKET NO. 875  
   :  
   :  
   :  
CERTAIN DEFENDANTS                                       :  
   :

**N O T I C E**

To all counsel with asbestos personal injury cases in the MDL 875 docket which were **originally filed in the Eastern District of Pennsylvania**. All of these cases will be scheduled for a hearing on a rule to show cause why the case should not be dismissed for lack of prosecution and/or a status and scheduling conference within the next **90 days**. When a case is scheduled, counsel for plaintiffs and defendants in that case will receive the following order:

**S A M P L E   O R D E R**

**RULE TO SHOW CAUSE HEARING AND/OR STATUS AND SCHEDULING  
CONFERENCE FOR CASES ORIGINALLY FILED IN THE EASTERN DISTRICT OF  
PENNSYLVANIA**

**AND NOW**, this -- day of **2009**, it is hereby **ORDERED** that a rule to show cause hearing and/or a status and scheduling conference will be held in the captioned cases<sup>1</sup> on **Day, Month --, 2009** at **9:00 am** in Courtroom 11A, United States Courthouse, 601

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<sup>1</sup>See Exhibit "A", attached, for listing of individual cases.

Market Street, Philadelphia, PA 19106. Prior to the conference, counsel shall review and ascertain the status of each case. Plaintiff's counsel in each case must be prepared to state why the case should not be dismissed for lack of prosecution.

It is further **ORDERED** that failure to appear at the hearing and/or conference shall result in the dismissal of the case.

It is further **ORDERED** that counsel for each plaintiff appearing at the conference shall be prepared to provide the following information to the court:

- a.) Each defendant with whom plaintiff has achieved resolution of his or her claim.
- b.) Each defendant that plaintiff now desires to dismiss from the action.
- c.) Each defendant that is currently in bankruptcy with a claim pending.
- d.) Each unsettled defendant not in bankruptcy ("unsettled defendants").

It is further **ORDERED** that, as to all unsettled defendants, counsel for the plaintiff and defendant in each case shall submit to the court, at the hearing, a written report containing the following information:

- a.) Status of compliance with Administrative Orders no. 12, 12 as amended, and 14.
- b.) Any outstanding discovery.

- c.) Any discovery that is still needed and a timetable for its completion.
- d.) Whether the plaintiff has obtained a medical diagnosing report or opinion upon which the plaintiff now relies for prosecuting his or her claim, if so, counsel shall provide the name and address of the physician or medical provider who has supplied the diagnosing report or opinion.
- e.) Any motions pending.
- f.) Readiness for trial and a proposed trial date.<sup>2</sup>

**AND IT IS SO ORDERED**

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**EDUARDO C. ROBRENO, J.**

For more information on MDL 875, including scheduling and case management updates, see the MDL 875 website, available at <http://www.paed.uscourts.gov/mdl875.asp>.

1/22/2009  
DATE

S/ Bruce Lassman  
CASE ADMINISTRATOR

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<sup>2</sup>Given the ages of many of these cases, the court will order presumptively that any outstanding discovery be completed within 90 days and that the parties be ready for trial within 120 days from the date of the hearing.